

AT THE ORGANIZATION MEETING OF THE CULPEPER COUNTY BOARD OF SUPERVISORS HELD IN THE BOARD ROOM, LOCATED AT 302 N. MAIN STREET, ON TUESDAY, JANUARY 3, 2006.

Board Members Present: Larry W. Aylor
William C. Chase, Jr.
John F. Coates
Sue D. Hansohn
Steven E. Nixon
Brad C. Rosenberger
Steven L. Walker

Staff Present: Frank T. Bossio, County Administrator
J. David Maddox, County Attorney
Valerie H. Lamb, Finance Director
John C. Egertson, Planning Director
Paul Howard, Director of Environmental Services
Peggy S. Crane, Deputy Clerk

Mr. Bossio, County Administrator, announced that he would preside until a chairman was elected.

INVOCATION

Mr. Mason Hutchinson presented the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mr. Aylor led the Board and audience in the Pledge of Allegiance to the Flag.

CALL TO ORDER

Mr. Bossio called the meeting to order at 10:00 a.m.

ELECTION OF CHAIRMAN

Mr. Bossio opened the floor for nominations for Chairman of the Board for calendar year 2006.

Mr. Nixon moved, seconded by Mr. Chase, to nominate John Coates as Chairman of the Board.

With no further nominations, Mr. Rosenberger moved that the nominations be closed. Seconded by Mr. Nixon.

Mr. Bossio called for voice vote and show of hands.

Ayes – Aylor, Chase, Hansohn, Nixon, Rosenberger, Walker

Abstained – Coates

Motion carried with 6 ayes and 1 abstention.

ELECTION OF VICE-CHAIRMAN

Mr. Coates opened the floor for nominations for Vice-Chair.

Mr. Aylor moved, seconded by Mr. Chase, to nominate Steve Nixon as Vice-Chair of the Board.

With no further nominations, Mr. Rosenberger moved that the nominations be closed. Seconded by Mr. Chase.

Mr. Coates called for voice vote and show of hands.

Ayes – Aylor, Chase, Coates, Hansohn, Rosenberger, Walker

Abstain – Nixon

Motion carried with 6 ayes and 1 abstention.

SPECIAL PRESENTATION

Mr. Nixon read the following resolution into the record:

RESOLUTION TO TRANSFER TITLE OF ROOKIE

WHEREAS: Steven E. Nixon has been a supervisor for a period of two consecutive years; and

WHEREAS: Steven E. Nixon has had at least one death threat in the course of those two years; and

WHEREAS: Steven E. Nixon has had his name in the paper at least 5 times per year over the last two years and had at least one favorable comment; and

WHEREAS: Steven E. Nixon has held the title of Rookie for two years and been duly recognized as such; and

WHEREAS: Larry W. Aylor is the most recent member of the Board of Supervisors and having been duly sworn in; and

WHEREAS: Larry W. Aylor has yet to receive complaints, raise taxes, handle gun issues, confront feral hogs or remove dead cows from the County parking lot; and

NOW THEREFORE BE IT RESOLVED, that Larry Aylor shall be vested with the title of Rookie and shall replace Steven E. Nixon as such. He shall be vested with the privileges this title bestows and shall uphold the traditions of the Rookie. He shall now from this day forth be known as the Rookie.

GIVEN THIS DAY: Tuesday, January 3, 2006.

/s/ Steven E. Nixon
Steven E. Nixon, Former Rookie

SECRETARY:
/s/ Peggy S. Crane
Peggy S. Crane
Assistant to the Rookie

Mr. Coates congratulated Mr. Aylor upon his recent election to the Board of

Supervisors to represent the Cedar Mountain District. Mr. Aylor thanked Mr. Coates and the Board.

RULES OF PROCEDURE FOR 2006

Mr. David Maddox, County Attorney, informed the Board that he was recommending several changes in the Rules of Procedure for 2006. He said a proposed change in paragraph 2-3. Annual Organizational Meetings, paragraph E, was the only change that needed to be adopted at the January meeting. He explained that the change was required pursuant to Virginia Code §15.2-1416 which states: "At its annual meeting the governing body may fix the day or days to which a regular meeting shall be continued if the chairman or mayor, or vice-chairman or vice-mayor if the chairman or mayor is unable to act, finds and declares that weather or other conditions are such at it is hazardous for members to attend the regular meeting." He stated that the other changes he recommended could be referred back to the Rules Committee for consideration.

Mr. Chase stated he did not want the invocation deleted from the regular order of business, but wanted it to be made a part of the agenda. Mr. Nixon agreed with Mr. Chase.

Mr. Coates asked the County Attorney to address the issue.

Mr. Maddox explained that the General Assembly passed a new statute during its last session that gave any governmental entity protection for the exercise of First Amendment rights prior to a meeting being called to order. He said the Board took advantage of that statute and had continued to have an invocation before calling the meeting to order.

Mr. Nixon stated he would like to have the word "Invocation" printed on the agenda prior to the Call to Order.

Mr. Maddox pointed out he had not recommended that the invocation be eliminated entirely, but it should not be held after the Call to Order.

Mr. Chase asked whether the invocation could be printed on the agenda and on the copies that were sent to the newspapers.

Mr. Maddox said it was recommendation not to include it on the agenda, but that was a decision the Board would make.

Mr. Nixon moved, seconded by Mr. Chase, to include the invocation on the agenda prior to the Call to Order.

Mr. Nixon pointed out that his motion would provide the proper legal coverage required.

Mr. Coates agreed that if the Board were going to have an invocation, it should be so indicated.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

Mr. Nixon moved, seconded by Mrs. Hansohn, to approve the amendment to the Rules of Procedures in paragraph 2-3E, as stated by the County Attorney, and to refer the other recommendations to the Rules Committee for further discussion.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

APPROVAL OF AGENDA - ADDITIONS AND/OR DELETIONS

Mr. Bossio asked that a new item be added as **SPECIAL PRESENTATIONS** after the **CONSENT AGENDA**, in order to present an award to the Finance Director.

Mr. Coates asked that an item be added to the agenda to discuss a letter of appreciation to Mr. Donnie Foster, Virginia Forestry Division representative, who was retiring. This item will be added under **SPECIAL PRESENTATIONS**.

Mr. Nixon moved, seconded by Mr. Walker, to approve the agenda as amended.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

APPROVAL OF MINUTES:

The minutes of the December 6, 2005 regular meetings were presented to the Board for consideration.

Mr. Nixon moved, seconded by Mr. Walker, to postpone approval of the minutes until the February meeting to allow for clarification.

Mr. Chase asked for additional information regarding the need to postpone consideration of the minutes. Mr. Nixon explained there were some wording discrepancies in the minutes that may need to be corrected.

Mr. Coates called for voice vote.

Ayes – Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

CONSENT AGENDA

Mr. Bossio reviewed the following Consent Agenda items with the Board:

- a. The Board will consider a motion to ratify approval of the advertisement for a public hearing to be held on January 3, 2006 at the evening portion of the meeting to enter into a lease agreement with Nextel to co-locate on the Landfill Tower.
- b. The Board will consider acceptance for a grant and appropriation of the funding for the County Department of Emergency Services and the Fire and Rescue Association from the Commonwealth of Virginia, Office of Emergency Medical Services, in the amount of \$20,734.60. Also a budget transfer from the Contingency Fund for the local funding is requested in the amount of \$18,256.40.
- c. The Board will consider acceptance of a grant and appropriation for funds received from the grant for the Sheriff's Office from the U.S. Department of Justice for a Bulletproof Vest Partnership Program Grant in the amount of \$18,756.00. The local match of \$9,378.00 to come from donations received by the Sheriff's Office as well as funds received from the Forfeited Asset Sharing Program.
- d. The Board will consider approving budget amendments for the Department of Human Services for additional funds to be received in the area of One-Stop/WIA program funding in the amount of \$92,144.00. No local dollars required.
- e. The Board will consider approving a budget amendment for the Sheriff's Office from additional State Compensation Board funds received in the amount of \$7,520.16 because of the implementation of the new Career Development Program (CDP) through accreditation for the Sheriff's Office. No local funds are required.
- f. The Board will consider acceptance of donations received for the 2005 Air Fest in the amount of \$7,970.00. Due to the inclement weather, the air demonstration portion of the Air Fest was cancelled. The sponsors wished to have their donations applied toward the 2006 Air Fest.

Mr. Walker, seconded by Mr. Nixon, moved to approve the Consent Agenda as presented.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

UNFINISHED BUSINESS

SPECIAL PRESENTATIONS

Mr. Bossio asked Mrs. Valerie Lamb, Finance Director, to come forward. Mr. Coates presented to Mrs. Lamb the Government Finance Officers Association's Distinguished Budget Presentation Award for the Fiscal Year beginning July 1, 2005. He thanked her on behalf of the Board for her and the staff's hard work. Mrs. Lamb thanked Mr. Coates and the Board. She acknowledged the contributions made by her staff, and especially by Ms. Georgette Hawkins, who was not able to be present.

Mr. Coates asked for permission to present a letter of appreciation from the Board of Supervisors to Mr. Donnie Foster, who was retiring from the Virginia Forestry Division. He said that Mr. Foster had done an excellent job in serving the community, and he would like to see him recognized for his contributions.

Mr. Walker, seconded by Mr. Nixon, to approve that a letter of recognition to be presented to Mr. Donnie Foster from the Board of Supervisors on the occasion of his retirement.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Motion carried 7 to 0.

UPDATE ON E-9-1-1 ROAD SIGNS

Mr. Alan Culpeper, Director of Procurement, recalled that he had presented a request at the Board's December meeting from the Fire & Rescue Association and Coordinator of the E-911 Center to change the County road signs from a background of green with white lettering to a background of blue with white lettering in order to achieve better visibility at night. He said that the Board had asked for additional information on the background color, height of the signs, and cost of high intensity reflection. He reported he found that green was not a color standard for VDOT, the signs could be another color; the height requirement according to the Federal Department of Transportation manual was a minimum of 5 feet and a maximum of 7 feet; and high intensity reflection could be placed on the road signs. He added that he had received cost estimates from several vendors for high intensity reflection, ranging from no additional cost to approximately \$20 additional per sign. He asked for the Board's approval to proceed with the change to a blue background with white lettering for County roads.

Mr. Walker asked whether the request was to replace signs through attrition. Mr. Culpeper agreed that the signs would be replaced only as needed.

Mr. Chase pointed out that some of the signs were already blue. Mr. Culpeper explained that private signs were blue and would not need to be replaced, and the only difference would be that "PVT" would be placed at the end of the name to indicate they were private roads.

Mrs. Hansohn asked whether the County would use the vendor who quoted there would be no additional charge for the high intensity reflective sheeting. Mr. Culpeper replied he had not been able to contact the County's current vendor and, should the County decide to use a different vendor, he would issue an RFP.

Mrs. Hansohn moved, seconded by Mr. Nixon, to approve the recommendation to change the color of the signs to a blue background.

Mr. Coates stated he had asked that the matter be postponed in order to obtain some additional information. He noted that VDOT must have changed its requirement that the signs should be green with white letters. He stated that he did not see the need to change the color of the signs since adding reflective material would not affect the color, and particularly since blue signs were widely recognized as private roads. He said he would not support the motion, but would support the Board's decision.

Mr. Nixon commented that since the signs would be replaced with funds from the sign maintenance budget, there should be no additional cost to the County. Mr. Culpeper agreed there would be no additional cost to the County and the signs would be replaced on an as-needed basis.

Mr. Bossio stated that \$30,000 had been budgeted this year for the cost for signs, and staff would budget accordingly to make up the difference for replacement signs on an as-needed basis.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Hansohn, Nixon, Rosenberger, Walker

Nay - Coates

Motion carried 6 to 1.

UPDATE ON THE FERAL HOGS SITUATION

Mr. Bossio reported that the Board had postponed the discussion regarding feral hogs for 30 days in order for staff to arrange a meeting with the landowners, adjacent property owners, and interested parties in the State to explore solutions to the problem. He explained that he had been unable to schedule that meeting within the 30-day period due to the holidays and vacation schedules. He stated that there was an impromptu meeting with

those concerned, but State representatives were not present. He apologized to the Board for the delay and informed them that a meeting had been scheduled for January 24, at 11:30 a.m., in the County Administration Offices. He added that he had been told that several hunters had made arrangements with the landowners and adjacent landowners involved to hunt the feral hogs, and that process was underway.

Mr. Dwayne Forrest addressed the Board and again expressed his concern that the County's Animal Control office had not contributed to the demise of the hog problem. He noted that in the interim, the hogs had had another two months to multiply, but the hunters had successfully contributed to at least 30 less hogs on the prowl. He called the Board's attention to the fact that he had sustained at least \$3,000 damage to his corn crop last summer, which had been verified by Extension Agent Carl Stafford, Captain Lane, and a Game and Inland Fisheries officer, and presented the County with a \$3,000 bill.

Mr. Chase suggested that the matter be discussed at the next meeting of the Animal Shelter Advisory Committee.

Mr. Coates stated the Board would discuss the issue further.

GENERAL COUNTY BUSINESS

PRESENTATION OF PROPOSAL FROM CITY OF FREDERICKSBURG OFFICIALS

Mr. Coates announced that officials from the City of Fredericksburg were present to discuss easements on the city-owned riverfront land in Culpeper County.

Mr. Bossio welcomed Vice-Mayor William Withers, City Attorney Kathleen Dooley and City Manager Phillip Rodenberg to the meeting.

Mr. Withers expressed his appreciation on behalf of Mayor Tomzak and the City Council for the opportunity to present the proposal and ask the Board for comments. He said it was important to the Town Council to obtain the support of Culpeper County and the surrounding counties.

Ms. Dooley informed the Board that she and Mr. Rodenberg had been working on the conservation easement for a couple of years, and their last direction from City Council was to go forth to the counties with the proposed draft and obtain their feedback.

Mr. Rodenberg stated he would review the asset that was on City lands, discuss the goals for preservation and the process that had been followed to date, and Ms. Dooley would describe the mechanics of the easement.

Mr. Rodenberg stated that the City owned nearly 5,000 acres along the Rappahannock and Rapidan Rivers, stretching approximately 25 miles upstream into

Spotsylvania, Stafford, Culpeper, Orange and Fauquier Counties. He said that there were approximately 1,241 acres in Culpeper County, 365 acres on the south shore of the Rappahannock and 876 acres on the north shore of the Rapidan. He explained that the easement goals were to have perpetual preservation in order to keep the lands protected, not only for their beauty, but to protect the water supply and the historic resources. He provided a detailed description of the historic resources, especially those in the Ely's Ford area. He said the City could not protect these resources alone, but would need the assistance of the surrounding counties.

Mr. Rodenberg said that in April 2004, the then-City Council was ready to convey an easement to the Virginia Outdoors Foundation and to The Nature Conservancy, but Culpeper County and others raised objections regarding roads, utilities, the perpetual nature of the easement, and access. He said several meetings were held which resulted in the current document that allowed counties to be potential holders of the easement. He noted approval of roads and utilities would require a two-thirds majority vote of the local governing bodies, and the role of the Virginia Outdoors Foundation and Corps of Engineers would be more advisory. He said the easement allowed for 42 acres for development of recreational access with five river access points; there would be no restriction on water supply except damming and impoundment would be limited; and the counties would be given the right of first refusal if the City ever decided to sell the land, but the easement would remain on the land.

Ms. Dooley displayed several exhibits that included a map of the riparian holdings of the City, as well as the land purchased by Virginia Power from private landowners around 1911 through 1914 and the City brought from Virginia Power in 1969 and 1970. She also discussed the natural and historic assets of the land. She said that funding for the easement would be coming from the Virginia Aquatics Resource Trust Fund, which was an offset for wetlands that had been disturbed and which was managed by the Corps of Engineers by an agreement with The Nature Conservancy. The Nature Conservancy is in partnership with the Corps of Engineers who would bring \$1.9 million to the table, \$1.6 million of which would be cash. She said the work of The Nature Conservancy ensured the validity of perpetual conservation easements.

Ms. Dooley explained that The Virginia Outdoors Foundation and The Nature Conservancy would be the holders of the umbrella easement and the easement document would be the same county by county. She said a new facet in the structure was that each

county would have the opportunity to become an additional holder of that easement or, in other words, the City would be conveying real property rights to the Virginia Outdoors Foundation and to Culpeper County to hold that interest in perpetuity. She said also that the proposal would require the counties to pay a to-be-determined amount to the City in order to become an easement holder. She noted that the Virginia Outdoors Foundation and The Nature Conservancy would provide environmental expertise, and they had agreed to survey the land and update the information with modern technology and to provide a natural resource inventory of the land.

Ms. Dooley noted that the County's Comprehensive Plan provided for recreational access to the rivers and she would like to learn more about current planning and zoning to support that use and the most effective approach toward enforcement.

Vice Mayor Withers stated that the City was considering the endowment for a river steward to help protect the land, specifically the historic sites, the environment, and the rivers and water supply. He said that the City was a landowner in Culpeper County, and the City was willing to work with the County to protect these lands.

Mr. Chase questioned why the City of Fredericksburg was asking the County to pay for an easement on the City's land to be held with the Virginia Outdoors Foundation. He said that the County did not own the land, but co-owned an easement. Mr. Withers replied that the City did own the land, but it was in Culpeper County, and that land and water needed to be protected.

Mr. Chase expressed his concern with the word "perpetuity". Mr. Withers stated that was also a problem on the City Council level.

Mr. Chase agreed that the land was an asset, but he would not like to use taxpayers' money to do more than the County was doing now. He asked for an example of what more could be done. Mr. Withers replied that one example would be the hiring of a river steward. He said the steward would monitor the land and the river to prevent against encroachment. He added that the City Council was prepared to engage in an agreement with the Virginia Outdoors Foundation and The Nature Conservancy, and Culpeper County was being given the opportunity to buy into the easement at the beginning of the process, but the County could decline that opportunity.

Mr. Nixon asked specific questions regarding the nature of the agreement, the limit of two access points on the 1,200 acres, the stipulation that only one percent of the land could be disturbed for development, the requirement of a 100-foot riparian buffer on the

river and tributary system, and the limitation on dams, reservoirs, impoundments or other facilities for the storage of water.

Ms. Dooley explained the rationale for each of his concerns and stated she would give consideration to them and relate them to the City Council. She stated that the City's perspective on the rivers was based on the fact that the City owned the land and the river was the sole source of the City's drinking water.

Mr. Nixon questioned the provision in the agreement that stipulated any roads, utilities or water impoundments would require a two-thirds majority vote of the Culpeper County Board and a two-thirds majority vote of the Fredericksburg City Council, with permission from the Virginia Outdoors Foundation. Ms. Dooley stated that was a provision in the earlier version, but the current agreement stipulated that the Virginia Outdoors Foundation would only serve in an advisory capacity. Mr. Rosenberg pointed out that the document indicated that the Virginia Outdoors Foundation had essentially pre-approved roads, utilities, etc., as long as they met the required criteria.

Mr. Chase pointed out that the best way to monitor the river was to walk the banks and/or get on the river once a month to see what was happening. Mr. Rodenberg stated that the City relied on the Friends of the Rappahannock and others who were on the river to alert the City if they observed any encroachments. He also stated that they did periodic fly-overs, but could not do more because of limited resources.

Mr. Coates asked when the City expected the Board to make a decision.

Ms. Dooley responded that she would like to have feedback from all of the counties in time for the City Council's work session on January 24.

Mr. Bossio asked whether a two-party conservation easement could be considered between the City of Fredericksburg and Culpeper County without including the Virginia Outdoors Foundation and The Nature Conservancy. Ms. Dooley replied that the City Council had set its course approximately two years ago when they began negotiations with the Virginia Outdoors Foundation and that was the course they would continue to pursue. She said the current version of the easement was the vehicle the City was considering for the preservation of the lands although no official vote had been taken.

Mr. Chase asked for clarification of the term "additional holder of the easement". Ms. Dooley explained there were provisions in the easement that would not be included if the County were not an additional holder, one being the right of first refusal should the land be sold. She said that although monies would be paid to the City of Fredericksburg, the City

had been managing the multi-jurisdiction asset for approximately 35 years while the entire region benefitted in terms of good water quality and recreational opportunities. She noted that the river steward position would manage the land and coordinate activities between the City and counties involved.

Mr. Chase stated he took exception to the term “multi-jurisdictional” since the property was owned by the City of Fredericksburg. He questioned what benefit the agreement would be to Culpeper County since all parties wanted what was best for the river. Mr. Rodenberg replied that by holding the easement, the County would share the use of the land with the City.

Mr. Chase stated he would prefer the two-party easement as suggested by Mr. Bossio. Mr. Rodenberg said he would relate that preference to the City Council.

Mr. Maddox stated he understood that the intent was to make the agreement in perpetuity to the legal extent possible and he also understood that the Virginia Outdoors Foundation served in an advisory role in the decision-making process regarding roads and utilities, but he was concerned regarding the stipulation there could be no boundary adjustments on the property unless the Virginia Outdoors Foundation approved.

Ms. Dooley explained that at the present time, the City was working with surveys over 100 years old and there had been problems with the definition of boundaries and boundary adjustments. She said the Virginia Outdoors Foundation and The Nature Conservancy were paying for a survey to be done within the first two years of the easement and there would an opportunity to make any minor boundary adjustments that might be required. She added that the Virginia Outdoors Foundation and The Nature Conservancy were concerned since the standard easement language required that the land be manageable and that would be easier with a single property owner.

Mr. Maddox questioned the severe limitations placed under the Amendment provisions, that stated if the county and the City of Fredericksburg unanimously agreed after 25 years that there was no further need for the contract, it could not be amended under its present terms.

Ms. Dooley replied that was correct. She said the previous version of the easement did not permit any amendments, but the revised version included some mechanism for amendments when all parties were in agreement. She added that the City Council was very serious about putting perpetual restrictions on the property so that 25 years from now all parties could not get together and agree to remove the easement from the property.

Mr. Walker stated he was concerned about the language regarding “No Right of Public Access” where the City retained the exclusive right to control such access and use of the property subject to the terms of the agreement.

Ms. Dooley explained that was boilerplate conservation easement language and had been included in easements when a private property owner conveyed an easement to the Virginia Outdoors Foundation or a public agency. She said there was the danger of perception that the conveyance of the easement also conveyed the rights to the public to come on to the property. She noted that this meant the City was still the owner of the property and had the right to manage access to that property.

Mr. Walker stated that language would allow the City of Fredericksburg, for example, to prohibit an access point after it had been developed by the County.

Ms. Dooley stated that the City remained the owner of the land, but access points would have been agreed upon prior to development and would be covered by a formal agreement between the County and the City, such as a long-term lease or conveyance of land to the County.

Mr. Walker expressed concern that since Culpeper County had two rivers to deal with there would not be enough access sites allowed. He suggested that access points should be specified at the confluence to provide access to both rivers, at the Rappahannock River and at the Rapidan River, particularly in view of the historic sites in that area.

Mr. Rodenberg explained that the provision in the agreement pertained to new access points in addition to that at the confluence. He said there would be more flexibility for access to historic sites which do not touch the riparian buffer and that would be worked out with each county.

Ms. Dooley pointed out that the County’s Comprehensive Plan mentioned public access to the river as one of the County’s goals and that was the type of information they needed to take back to the City Council.

Mr. Withers thanked the Board for its time and urged them to send the City Council their concerns for review and consideration.

Mr. Coates thanked the City of Fredericksburg, on behalf of the Board, for allowing the County the opportunity to participate in this dialogue and stated the Board would be back in touch with them.

Mr. Coates recessed the meeting at 11:40 a.m.

Mr. Coates called the meeting back to order at 12:00 noon.

SCHOOLS' CAPITAL IMPROVEMENT PLAN (C.I.P.) SUMMARY REQUESTS

Mrs. Elizabeth Hutchins, School Board Chairman, presented the Schools' C.I.P. 2006- 2011, which had been approved by the School Board at its last meeting in December and had been forwarded to Mr. Egertson for review by the Planning Commission. She indicated that the items on the C.I.P. had been categorized following an engineering study of the various schools, buildings and systems. She pointed out that the elementary school that had been in Phase I of development four years ago had been moved forward due to overcrowding at the current elementary level. She also pointed out that a 10-classroom addition to Farmington Elementary had been included in the C.I.P. She noted that Farmington was the smallest elementary school and the addition would bring it in line with the other schools. She said that Dr. David Cox, Division Superintendent, Mr. Hunter Spencer, Projects Manager, and Mr. Jeff Shomo, Director of Finance, were present to answer specific questions.

Mr. Nixon pointed out that the budget for the new high school was shown as \$44,003,715, but the Board had approved \$42 million.

Mr. Spencer stated that the revised budget for \$44 million was received from the architect on June 29 at the School Oversight Committee (SOC) meeting and that figure had been communicated to the Board prior to the County's trip to New York to discuss financing.

Mrs. Hansohn stated that the figure County staff took to New York was \$53 million – \$42 million for the new high school and \$11 million soft costs.

Mr. Spencer noted that the budget update totaled approximately \$44 million for the high school, and a presentation on the soft costs indicated that the entire project could be done within the \$53 million budget. He assured the Board that the School Board had committed to the \$53 million budget.

Mr. Nixon asked whether the School Board would be able to make up the difference with the overage because the current bid was approximately \$47 million. Mr. Spencer replied that staff was reviewing that figure and would be making recommendations to the School Board on January 9.

Mr. Nixon asked whether priorities had been established for the projects because of limited resources. Mr. Spencer replied that the elementary school was a priority because of overcrowding and the addition to Farmington would alleviate the need for trailers.

Mr. Nixon thanked the School Board for presenting the C.I.P., but expressed concern that approximately \$11 million would be needed next year and \$34 million the

following year. He said adjustments would have to be made because the County could not absorb those amounts within that time frame. He asked which projects had the highest priority.

Mr. Spencer stated the items were listed in terms of staff's priority and the School Board adopted the plan. He said he could not speak to the School Board's priorities.

Dr. Cox stated he understood that everything could not be done at one time, but the intent was to list all of the projects with the understanding items would be moved from year to year in terms of available funding. He said the School Board's highest priority was to take care of the classroom space needs for the students and proceed with the 10-classroom addition to Farmington Elementary next year.

Mr. Walker asked about the status of the parking lot additions to A. G. Richardson and Pearl Sample. Mr. Spencer replied that discussions had been held with the Virginia Baptist Home regarding access, but the Baptist Home had not finalized their plans and that issue was on hold. He said that VDOT had agreed to consider adding a second entrance/exit on Route 15, which was not ideal but would be possible.

Mr. Walker and Mr. Shomo discussed various projects and their timing, many of which would be taken care of in this year's budget. Mr. Shomo noted that many of the projects listed would go out for bid and would be taken care of this year after school was out.

Mrs. Hansohn noted that \$2.5 million has been earmarked for the renovation of existing facilities, and under that figure separate items were listed for the auditorium lighting, seating, carpeting, etc. Mr. Spencer explained that the high school renovations were being done in stages and some projects would need to be done whether the building was renovated or not. He said the \$2.5 million was an estimate and until a master plan had been developed for four or five years of tasks, he could not explain what that figure represented. He stated that some of the tasks had been completed, such as the lighting and replacement of the furnace and boiler and others tasks still needed to be done, such as replacement of the electrical gear.

Mrs. Hansohn suggested that the County's engineer might be able to assist. Mr. Spencer agreed and said he would welcome the assistance.

Mr. Nixon asked about the location of the new maintenance facility for the buses. Mr. Spencer replied that locations would need to be explored and that would be discussed with the Board of Supervisors at a later date.

Mr. Walker asked specific questions about various items such as funding for technology equipment, the telecommunications center, and lighting in the High School auditorium. Mr. Shomo provided further information about each item.

Mr. Coates stated there were no estimates included for site work for the new 600-student new elementary school. Mr. Spencer replied the site work was included in the construction costs of \$18 million.

Mr. Nixon asked whether the Yowell Drive site was still being considered for the new elementary school. Mr. Spencer agreed they were looking at the two parcels of land the Schools owned on Yowell Drive, and some preliminary engineering work was being done which would be needed prior to the RFP process. Mr. Nixon asked whether an alternate site has been identified in the event the Yowell Drive site did not work out. Mr. Spencer stated none had been identified at this point.

Mr. Coates asked whether consideration had been given to tying the back access to the new elementary school to the west loop road. Mr. Spencer replied that one of the plans showed the bypass going almost directly along the edge of the proposed site for that school.

Mr. Bossio asked Dr. Cox whether they would be able to schedule a meeting so that they could discuss the C.I.P. and arrange them in numerical order for budget purposes. Dr. Cox replied that he would look forward to that meeting.

Mr. Nixon stated he wanted to make sure that the new high school budget was set at \$53 million. Mr. Spencer assured him that the School Board's commitment was to work within that \$53 million figure.

SCHOOL BOARD GOALS

Mrs. Hutchins informed the Board that each year, the School Board held a retreat and reviewed their goals, vision, and mission statement and adjustments were made as necessary. She said that the School Board discussed the goals and indicated where they needed to move forward as the student population changed and changes were made within the School system as program and instructional needs were received from the State and/or Federal Government. She said the goals were adjusted each year if needed and time frames were adjusted, and the School Board had decided that it might be beneficial to the Board of Supervisors to receive a copy.

Dr. Cox stated that the School Board had provided excellent direction to staff, and each of the goals would be refined by developing strategies for staff that mesh with the

individual school improvement plans required of all the schools to attain accreditation. He pointed out that all of the County's schools were now fully accredited.

Mr. Walker asked whether the School Board had set its priorities on the list of goals. Mrs. Hutchins replied that the goals were intertwined and related to each other. She noted that no one goal was more important than the other and that they were all equally important because they were part of the whole package for the County's children.

Dr. Cox stated that copies of the School Board's vision, mission, and goals, as well as the C.I.P., could be viewed on the Schools' web site at www.culpeperschools.org.

Mr. Coates recessed the meeting at 12:30 p.m. for lunch.

Mr. Coates called the meeting back to order at 2:10 p.m.

Mr. Chase did not return to the afternoon portion of the meeting.

COMMITTEE REPORTS

RULES COMMITTEE REPORT - DECEMBER 13, 2005

Mr. Walker reported that the Rules Committee met and had two agenda items to bring forward, (1) a request by the Salem VFD for reimbursement of permits for its new firehouse; and (2) the Nextel proposed lease agreement, which would be heard later during the evening portion of the meeting.

Mr. Walker stated that the Salem VFD asked that the fees be waived for its new firehouse, but the Rules Committee recommended that the fees be reimbursed after they had paid the fees.

Mr. Bossio stated that the Board's current policy was that requests for reimbursement would be considered after the fees were paid. He said that the Salem VFD had not paid any fees as yet and he would send them a letter explaining the Board's policy.

See Attachment #1 for details of the meeting.

PUBLIC WORKS COMMITTEE REPORT – DECEMBER 13, 2005

Mrs. Hansohn reported that the Public Works Committee met and had two items for the Board's consideration.

Mrs. Hansohn moved, seconded by Mr. Nixon, to move forward with Phase I of the Countywide Groundwater Study.

Mrs. Hansohn asked Mr. Paul Howard, Director of Environmental Services, to provide an overview of the request.

Mr. Howard explained that the Countywide Groundwater Study was to look for groundwater east and north of the Town of Culpeper, through Brandy and Elkwood; and

west of the Town, through the Route 522 corridor. He stated that the end result with the Phase I Groundwater Study would be to identify locations where they would recommend that the County drill wells and to determine the water quality and quantity. He recommended that the Board approve \$75,000 to be taken out of the Airpark account that was set up for some upgrades to the wastewater treatment plant that would not be done. No additional appropriations would be required.

Mr. Walker asked whether it was still the plan to ask developers to participate in the process. Mr. Howard replied that his office would be tracking the costs and the ultimate goal was to roll these costs into an availability fee for developers. He indicated that when wells were identified, the Board would choose whether to drill them or wait until a developer came in with a development request. He said the intent was to continue the efforts to offset some of the costs with the developers.

Mr. Coates called for voice vote.

Ayes - Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Mrs. Hansohn stated that the Committee reviewed the Tier III designation for the Hazel River and recommended that the full Board support that designation. She said that the request had to be submitted by December 19, so the Board was polled to determine if it supported the designation, and the Board agreed 4 to 3 to move forward with the recommendation. She stated that she was asking for the Board to ratify that vote.

Mrs. Hansohn moved, seconded by Mr. Rosenberger, that the Board support the Tier III designation of the Hazel River.

Mr. Coates called for voice vote.

Ayes - Aylor, Chase, Coates, Hansohn, Nixon, Rosenberger, Walker

Nay - Nixon

Absent - Chase

Motion carried 5 to 1.

See Attachment #2 for details of meeting.

Mr. Walker stated that he had attended the Town's Committee of the Whole meeting on December 13 at which a request was made that Stanley Franklin of McGuire Woods law firm be invited to attend the next Public Works Committee to answer questions regarding the Water and Sewer Authority.

Mrs. Hansohn stated that the Town Committee did bring forth a proposal regarding joining forces with the County to establish a water and sewer authority. She invited anyone interested to attend the meeting on January 10, at 2:00 p.m., in the County Administration Building.

E-9-1-1 BOARD OF DIRECTORS REPORT - DECEMBER 16, 2005

No action items.

PUBLIC SAFETY COMMITTEE REPORT - DECEMBER 16, 2005

Mr. Nixon reported that the Public Safety Committee met and had two action items for the Board's consideration. He said the first one involved the recommendation from the Fire and Rescue Association to have the EMS training facility placed on the County C.I.P. He said they understood that the County was not committed to building the facility at this point, but they wanted to have it on the C.I.P. in order to investigate possible funding mechanisms in the future. The item needed to be on the C.I.P. in order to apply for grants and other funding sources that may be available.

Mr. Nixon moved, seconded by Mr. Walker, to place the training facility and training coordinator on the County's C.I.P.

Mr. Coates called for voice vote.

Ayes - Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Mr. Nixon reported that the Public Safety Committee discussed the State's Two for Life program in which the State retained \$2 of the license fee paid by everyone. He said the fee was recently increased to \$4 and the resolution before the Board was asking the State to return the entire \$4 fee to the localities.

Mr. Nixon moved, seconded by Mrs. Hansohn, to have Board send a letter in support of the resolution which asks the General Assembly to return the entire \$4 fee to the localities.

Mr. Coates inquired whether this required any action by the County's representatives in Richmond. Mr. Nixon replied that the letter in support of the resolution would be sent to the legislators.

Mr. Coates called for voice vote.

Ayes - Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

See Attachment #3 for details of meeting.

Mrs. Hansohn stated that she read the minutes that it was recommended by Homeland Security and Virginia Department of Emergency Management that elected officials, as well as Department heads, should take the NIMS (National Incident Command System) 700 training. She said that participation in the training would be tied to the County's receiving grant funds in 2007. She asked when the training would take place.

Mr. Nixon stated that Mr. Tom Williams, Emergency Management Director, would have more details, but he understood the training would take place in February.

Mrs. Hansohn stated it would be helpful if everybody took the training because it would help in the grant process.

ECONOMIC DEVELOPMENT REPORT

Mr. Carl Sachs, Economic Development Director, reported there was no Economic Development Committee meeting because of the snowy weather, but he had two information items to present:

1. The County's Department of Economic Development and Germanna Community College representatives held a luncheon forum on December 12, which was attended by some Board members, as well as entrepreneurs and business people, to talk about establishing an Entrepreneur Center at the Center for Advanced Technology to help nurture and support entrepreneurs. The response received was favorable, and it was anticipated a program could be up and running in November after the Center opened.
2. Work continues with the Chamber of Commerce on the Work Where You Live program. The web site now includes a mileage calculator to enable people to determine how much they spend and the amount of time spent in commuting versus how much they think their time was worth and whether they could accept a lesser salary for a job in Culpeper.

Mrs. Hansohn stated that the program should be promoted in the local papers because a lot of people do not use the computer and it was valuable information to have. Mr. Sachs replied that the program was a Chamber of Commerce project, and they were not quite ready to launch the web page. He agreed there was a lot of marketing to be done in the form of signs around town and other promotions such as bumper stickers.

AIRPORT ADVISORY COMMITTEE REPORT - DECEMBER 14, 2005

Mr. Bossio reported that the Airport Advisory Committee met and had no action

items to forward to the full Board.

ADMINISTRATOR'S REPORT

Mr. Bossio made the following report:

1. The VACo/VML 2006 Legislative Day will be February 9, 2005. Board members who plan to attend should contact Mrs. Peggy Crane, Deputy Clerk, for registration materials.
2. The Financial/Real Estate Disclosure Forms will be due to Mrs. Crane by January 11.
- 3, The New Supervisors' course will be held January 6-8, at the Richmond Marriott. Mr. Aylor was planning to attend and others may attend who want a refresher course.

Mr. Walker announced that the VML/VACo Chairmen and Vice Chairmen would meet in coordination with the Legislative Day schedule – February 9-11.

CLOSED SESSION

Mr. Nixon moved, seconded by Mrs. Hansohn, to enter into closed session, as permitted under the following *Virginia Code* Sections, and for the following reasons:

1. Under *Virginia Code* §2.2-3711(A)(1), to consider: (A) Reappointments or appointments to the Disability Services Board; (B) readvertisement for appointment to the Economic Development Advisory Commission; (C) reappointment to the Library Board; (D) readvertisement for appointment to the Parks & Recreation Advisory Committee; and (E) reappointments and/or appointments to the Planning Commission.

Mr. Coates called for voice vote.

Ayes - Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

The Board entered into closed session at 2:30 p.m.

The Board returned to open session at 3:40 p.m.

Mr. Coates polled the members of the Board regarding the closed session held. He asked the individual Board members to certify that to the best of their knowledge, did they certify that (1) only public business matters lawfully exempted from the open meeting requirements under Virginia Freedom of Information Act, and (2) only such public business matters as were identified in the closed session motion by which the closed meeting was convened, were heard, discussed or considered by the Board in the closed session.

Mr. Coates asked that the record show Mr. Chase was not present the closed

session.

Ayes – Aylor, Walker, Coates, Nixon, Rosenberger, Hansohn

RE: REAPPOINTMENT TO DISABILITY SERVICES BOARD

Mr. Nixon moved, seconded by Mr. Walker, to reappoint Timothy M. Brown to the Disability Services Board.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENT TO DISABILITY SERVICES BOARD

Mr. Nixon moved, seconded by Mrs. Hansohn, to reappoint Linda Noonan to the Disability Services Board.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: READVERTISE VACANCY ON ECONOMIC DEVELOPMENT ADVISORY COMMISSION

Mr. Nixon moved, seconded by Mr. Aylor, to readvertise to appointment to the Economic Development Advisory Commission to fill a three-year vacancy.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENT TO THE ECONOMIC DEVELOPMENT ADVISORY COMMISSION

Mr. Nixon moved, seconded by Mrs. Hansohn, to reappoint Aaron Greso to the Economic Development Advisory Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENT TO THE LIBRARY BOARD

Mr. Nixon moved, seconded by Mrs. Hansohn, to reappoint Dot Ferrero to the Library Board to represent the Stevensburg District.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENT TO THE PARKS & RECREATION ADVISORY COMMITTEE

Mr. Nixon moved, seconded by Mrs. Hansohn, to reappoint Annemarie Steimel to the Parks & Recreation Advisory Committee to represent the Jefferson District.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: RESIGNATION FROM PLANNING COMMISSION

Mr. Nixon moved, seconded by Mrs. Hansohn, to regretfully accept Larry W. Aylor's resignation from the Planning Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENTS TO PLANNING COMMISSION

Mr. Nixon moved, seconded by Mr. Aylor, to reappoint Ian Phillips to the Planning Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: REAPPOINTMENTS TO PLANNING COMMISSION

Mr. Nixon moved, seconded by Mr. Aylor, to reappoint Robert J. Kenefick to the Planning Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

RE: APPOINTMENT TO THE PLANNING COMMISSION

Mr. Nixon moved, seconded by Mrs. Hansohn, to appoint Roger C. White to the Planning Commission.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

ADJOURNMENT

Mrs. Hansohn moved to adjourn at 4:40 p.m. Seconded by Mr. Rosenberger.

Mr. Coates called for voice vote.

Ayes – Aylor, Coates, Hansohn, Nixon, Rosenberger, Walker

Absent - Chase

Motion carried 6 to 0.

Peggy S. Crane, CMC
Deputy Clerk

John F. Coates, Chairman

ATTEST:

Frank T. Bossio
Clerk to the Board

APPROVED February 7, 2006